

### **REMARKS**

The issues outstanding in the final rejection mailed July 14, 2006, are the rejections under 35 U.S.C. §§102 and 103. Reconsideration of these issues, in view of the following discussion, is respectfully requested.

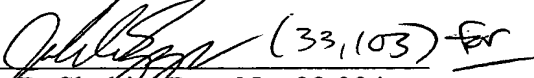
Claims 1-5 and 9-14 have been rejected under 35 U.S.C. §102(b) or the alternative 103 over US patent 5,280,087 (Chung). Moreover, claims 6-8 have been rejected under 35 U.S.C. §103 over Chung. Reconsideration of each of these rejections, in view of the following discussion is respectfully requested.

Chung teaches that the immiscibility of carboxyl-terminated polyamide and polyetherpolyals poses "a substantial problem" in preparing the block copolyether-ester-amides desired in the invention. Patentees suggest, as a solution to this problem, reaction of caprolactam or another lactam with a polyether polyal to form an amino-terminated pre-polymer with a polyamide segment and a polyether segment. Subsequently the pre-polymers are reacted with a dicarboxylic acid to form high molecular weight block copolyether-ester-amides. By contrast, the presently claimed copolymers are prepared by a process comprising reacting polyamide blocks having carboxylic end groups (undesirable in the Chung patent) with polyetherdiols. Thus, it is evident that the materials disclosed in the patent are different from those presently claimed and that the patent does anticipate the claims. Since Chung indicates that the materials prepared with polyamide blocks having carboxylic end groups are undesirable compared to their materials, they obviously must be different materials having at least one different property. Thus, there is no anticipation. Moreover, there would be no motivation from Chung for one of ordinary skill in the art to employ a process utilizing a polyamide having carboxylic end groups. Thus, it is clear that the patent also does not suggest the presently claimed materials. Withdrawal of all the rejections is therefore respectfully requested.

The claims in the application are submitted to be in condition for allowance. However, if the examiner has any questions or comments, he or she is cordially invited to telephone the undersigned at the number below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

 (33,103) ~~Fr~~  
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